

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LORENZO BREATH,)	
)	
Plaintiff,)	
vs.)	NO. CIV-14-0444-HE
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff Lorenzo Breath filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for disability insurance benefits. Consistent with 28 U.S.C. § 636(b) and Fed.R.Civ.P.72(b), the case was referred to Magistrate Judge Charles B. Goodwin, who issued a Report and Recommendation recommending that the Commissioner’s decision be affirmed.

Plaintiff filed his application for disability benefits on September 29, 2011. When it was denied initially and on reconsideration, he requested a hearing before an Administrative Law Judge (“ALJ”). After a hearing, the ALJ issued an unfavorable decision on January 7, 2013. The Appeals Council denied plaintiff’s request for review, so the ALJ’s decision became the final decision of the Commissioner.


Plaintiff failed to object to the well-reasoned, thorough Report and Recommendation and thereby waived his right to appellate review of the factual and legal issues it addressed.

United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See*

28 U.S.C. §636(b)(1)(C). Accordingly, the court **Adopts** Magistrate Judge Goodwin's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

IT IS SO ORDERED.

Dated this 22nd day of September, 2015.



JOE HEATON
UNITED STATES DISTRICT JUDGE